THE COURTS.

Brooklyn Ring Suits To Be Tried in Brooklyn.

REMINISCENCE OF THE GOOD OLD TIMES

Interior Life of Ludlow Street Jail.

A REST IN THE PACIFIC MAIL INVESTIGATION

Recently a motion was made before Judge Barrett, in Supreme Court, Chambers, to change the place of trial from New York to Brooklyn in the so-called Brooklyn Ring suits against Fowler, Lowber and Bliss, who are charged with having wrongfully obtained from the Brooklyn treasury nearly $700,000 on the contracts for building the Brooklyn Reservoir and the construction of the Third avenue sewer. The complaints in these actions have already been published in full in the HERALD, together with a pretty full report of the argument on the motion for a change of venue. Judge Barrett yesterday gave his decision granting the motion, and giving his reasons for doing so in the following opinion:—

First.—The question is not whether the defendants, Fowler, Lowber and Bliss, were public officers within the meaning of the constitution, but whether they were such as are contemplated by section 124 of the Code. That they were public officers in the latter sense there can be no doubt. Their duties were essentially public, and they were even required by law to take an oath of office and to furnish bonds for the faithful performance of their duties as permanent water and sewerage commissioners (Laws of 1869, chap. 97, sec. 2).

Second.—The acts complained of were clearly done by these defendants "in virtue of their offices." It was wholly from such offices that they derived the authority to do what is charged against them, and that is the test. It is not a question of good or bad faith, and the proposition that the statute covers cases of neglect or inefficiency is not sustained either upon principle or authority. On the contrary, it is well settled that even where, in doing an act within the limits or scope of his authority, the officer exercises such authority improperly or abuses the confidence which the law reposes in him, he is still entitled to the protection of the statute (Brown vs. Smith, 24 Barb., 419; the People vs. Hayes, 7 How., 248; Seeley vs. Berdsall, 15 Johns., 268; the People vs. Tweed, 13 Abb., N. S., 419, which is directly in point and is decisive of this motion). Even allegations of malice and "wicked combination" will not deprive a public officer of the protection of such statutes (Row vs. Sherwood, 6 Johns., 109). And upon principle this is the just rule, for otherwise the statute would always be evaded by a mere averment of bad faith, e. g.:—That a sheriff levied on A's goods, under execution against B., and did it in bad faith, well knowing them to be A's goods.

Third.—In one of the cases under consideration the cause of action arose in Kings county; in the other "some part thereof," indeed, the substantial part thereof, arose here.

Fourth.—The defendants cannot be deprived of their statutory right by joining other parties as defendants. The right is absolute and not a matter of judicial discretion. If, therefore, a public officer be impleaded for acts done virtute officii, the suit, so far as he is concerned, must be tried in the county where the cause of action or some part thereof arose. Any other rule would tend to nullify the statute, for it would be as easy to join other parties defendants as to plead bad faith, and that, too, without intending to evade, as, for instance, to join with a sheriff defendant the plaintiffs in the execution who directed or the indemnitors who uphold the levy.

Fifth.—Lastly, we are asked to retain these cases because it is claimed that a fair jury trial cannot be had in Kings county. But that is no answer to the motion. Issue has not been joined and we cannot tell whether there will be a jury trial. For aught we know the defendants may demur. The first thing to be done is to place the causes in the county where by law the defendants have a right to have them. When an issue of fact is there joined it will be time enough to invoke sub-division 2 of section 126 of the Code. Mason vs. Brown (6 How., 451) is not in point for the reason that issue had there been joined, but it is an authority for the rule that motions to change the place of trial for the convenience of witnesses can only be made after issue joined. The same principle applies to a motion to change the venue because there is reason to believe that "an impartial" trial cannot be had. The motion to change the place of trial to the county of Kings is granted.

A MEMORABLE SUIT REVIVED.

Among the curious cases that occasionally are brought to light in the courts there are few presenting a greater variety of peculiar phases than the suits of John B. Gardner and five other claimants against the city. Having already been sixteen years in litigation the circumstances of the case have been published several times in the HERALD. It is only necessary, therefore, at present, on the revival of the suit, to give but a brief *résumé* of the facts. Under what is called the Guadalupe-Hidalgo treaty George H. Gardner put in a claim at Washington and was allowed something over $200,000, of which sum $139,500 was on deposit in the New York Loan and Trust Company. It was discovered shortly after the payment that the papers on which Gardner based his claim were forgeries. Criminal proceedings were accordingly commenced against him which resulted in his conviction. Gardner, stricken with shame or remorse, committed suicide in prison. Meantime, that is to say in March, 1854, the United States government had commenced civil proceedings against him, under which the money deposited with the New York Loan and Trust Company was attached. Peter B. Sweeny, who was then Public Administrator, took out papers of administration. Sweeny was succeeded in this office by Charles A. May, and the latter by Thomas C. Fields. A compromise was effected under Fields' administration by which the government received $139,500, but the interest accruing on it was turned over to the Public Administrator for various purposes, including the costs of the litigation. The amount thus turned over was about $37,000. Tom Fields accounted for $20,000, and the present suit is to require a further accounting, there being under this compromise $17,000, with interest, still claimed by the heirs of Gardner.

In Supreme Court, Chambers, yesterday, application was made by the Corporation Counsel to Judge Barrett for a commission to examine Daniel E. Sickles, who, as counsel for the deceased Gardner, claims to have a lien on the funds, and Thomas C. Fields, who for private considerations has gone to "fresh fields and pastures new." The application was opposed on the ground that Sickles cannot tell anything about the matter and the whereabouts of Fields is unknown. Judge Barrett, on examination of the papers, granted the motion.

LUDLOW STREET JAIL BAR.

William Watson, Warden of Ludlow Street Jail, who is charged with selling cigars and liquors in that place without paying the special internal revenue license, was brought before United States Commissioner Shields yesterday for further examination. Samuel Oppenheimer, a prisoner in the jail, was the only witness called. This witness was the one who it has been alleged has been occupying the position of barkeeper in the jail, where he has been confined for over six years on charges of fraudulent bankruptcy. He testified that liquors and cigars were sold during the last year to the prisoners from a place arranged in one of the bathrooms, but since October last nearly all of these sales had been on his own account. Previous to that time the receipts had been regularly turned in at the office, and even up to January 1 the cigar money went to Deputy Warden Gardner; from that time he only sold from $10 to $15 worth of liquor, making his last sale early in January; the last purchase of liquor made by him was in December.

"Did you pay cash for these purchases?" inquired District Attorney Foster.

"You must bear in mind, Mr. Foster, that Mr. Oppenheimer is reputed to be worth $500,000," said Mr. Purdy, counsel for the accused.

"Yes," remarked Oppenheimer, "and it is just this reputation that has kept me in Ludlow Street Jail for over six years."

The witness continued that he had made his purchases of one or two gallons as he required, and had never given an order in the name of the Warden, and, in fact, upon Mr. Watson's appointment he had been peremptorily ordered to stop the business. From that time they had been continued clandestinely, and never in the presence or with the knowledge of any officer of the jail. The examination will be resumed next Saturday.

THE PACIFIC MAIL SUIT.

The further hearing in the suit of the Pacific Mail Steamship Company against William S. King and John G. Schumaker, which was set down for yesterday morning at half-past ten, was adjourned by mutual consent of counsel till next Thursday. Mr. Goodwin, counsel for defendants, asked for the adjournment on the ground that he did not expect the hearing would last so long, and that other important matters which he had to attend to were necessarily neglected. Mr. Bennett, counsel for the Pacific Mail Steamship Company, thought that an adjournment for a few days at this time would be eminently proper, as some witnesses whom he wished to call and who could throw a great deal of light on the testimony already elicited would not be able to arrive here in less than five days. It was further stated that Mr. Tolcott, whose examination it was expected would be continued yesterday, was quite ill. Commissioner Wight, on these representations, adjourned the hearing as requested. Before adjourning, however, the name of John M. Rushe as a witness was called by Mr. Bennett, and, that gentleman not being present, Mr. Wight was requested to note that the gentleman was in default.

DECISIONS.

SUPREME COURT—CHAMBERS.

By Judge Barrett.

The People, &c., vs. Fowler et al.—Opinion.

Owens vs. Pickert et al.—This is not a proper case for the Special Circuit calendar, and the motion must be denied.

Seller vs. Falk.—Receiver appointed and referee to superintend transfer.

Matter of Katz.—After considering Mr. Beals' brief I am satisfied that the application for disbursements should be denied.

Cutter vs. Miller.—Default opened on payment of $30 trial fee, $10 costs of motion and $7 10 disbursements within five days, and stipulating to try cause at the earliest possible day.

Kayton vs. Hirsch.—Motion denied without costs.

The Philadelphia and Reading Coal and Iron Company vs. Packer.—I see no escape from the conclusion that this case must be referred; as the issues stand it must involve the examination of a very long account. The motion must be granted and the cause referred to C. H. Hildreth to hear and determine.

Visscher vs. Brennan.—Sureties approved.

Seibt vs. Bauzer.—The plaintiff is entitled to an order appointing a receiver.

Gardiner vs. The Mayor, &c.—Motion granted on payment of $10 costs.

Pelowbet vs. Duncan.—Motion granted and defendant allowed to answer in five days on payment of $10 costs within such five days.

Matter of Smith.—Application denied. Memorandum.

Kurzman vs. Stechert.—Whether case in the 9th of Abbott has been reserved by Morgan vs. Skidmore or not it is no authority on this proceeding, for it was an ordinary action. This was a reference under the statute and section 317, expressly for simple disbursements. Ordered accordingly.

SUPERIOR COURT—SPECIAL TERM.

By Judge Sedgwick.

Ducker, &c., et al., vs. Rapp, &c.—Let the within case and exceptions be filed nunc pro tunc as of 29th, and the clerk is hereby directed to receive and file a note of issue for the February General Term.

By Judge Sanford.

Allen et al. vs. Daly et al.—Referee's report confirmed and judgment of foreclosure and sale.

Faulks vs. Kamp; Allendorf vs. Mutual Life Insurance Company; Dilks vs. Chase; Pursell vs. New York Life Insurance and Trust Company; Gedney vs. Haas; Morey vs. Metropolitan Gaslight Company; Pelas et al. vs. Coadley, and Mutual Life Insurance Company vs. Bulkley et al.—Orders granted.

COMMON PLEAS—SPECIAL TERM.

By Judge Van Brunt.

Adams vs. Page.—No certificate as to appearance.

Seabury, &c., vs. Peck et al.—Judgment ordered.

Cummins vs. Blessing.—Reference ordered.

SUMMARY OF LAW CASES.

In the United States Circuit Court yesterday, before Judge Wallace, in the case of Tassin & Co. against Collector Arthur, to recover duties paid under protest upon importations of olive oils, the particulars of which have been published, the jury returned a verdict for the defendant. As a test case the decision is of importance to this branch of importers.

The alleged German forger Charles Schultz, arrested a month or two ago on board the steamship Idaho, and whose extradition is demanded by the German Consul, was brought before United States Commissioner White yesterday for further examination. The documentary proofs from Germany, substantiating the charges made, were offered in evidence, after which the examination was postponed until next Saturday.

Application was made yesterday before Judge Sanford, holding Special Term of the Superior Court, to punish John B. Holmes for contempt of court, for failure to pay the alimony and counsel fee directed by the Court in a suit for divorce brought by his wife. Judge Sanford refused to grant the application, holding that the proper course to obtain the money was by execution and not by contempt proceedings.

Judge Barrett yesterday opened the default and granted five days additional time to answer the complaint in the suit of Peloubet and others against Duncan, Sherman & Co. The plaintiffs left some drafts with the defendants on a London house for collection. The money, as alleged, was collected, and the proceeds reaching him the day after the failure of Duncan, Sherman & Co., were placed among the assets of the firm. It is claimed that the money should be paid to the plaintiffs and that the same cannot legally be made any portion of the assets of the failing firm.

In the case of William A. Pendelton, president of one of the Staten Island ferry companies, who was adjudged guilty of contempt of court for failing to comply with an order of Judge Van Vorst, of the Superior Court, in the matter of the injunction against the company as to the running of boats, the facts of which have been fully published in the HERALD, a writ of habeas corpus was recently obtained, with a view to secure his release under the thirty days' commitment. Judge Barrett yesterday, after hearing opposing counsel, dismissed the writ and remanded Pendelton to the custody of the Sheriff.

A short time since James G. Plunkett, in a suit before Judge Speir, of the Superior Court, obtained a verdict against D. Appleton & Co. for injuries sustained by having his foot crushed by an elevator. A motion was made to set the verdict aside, on the ground that the Judge communicated with the jury without the knowledge of the parties to the suit or their counsel. Judge Sanford, who heard the argument on the motion, granted the application, holding that though the communication with the jury was at their request, it was not, under the circumstances, proper.

Before Judge Gildersleeve, in the Court of General Sessions yesterday, the trial of William J. Ree for alleged forgery was continued. George Marshall was cross-examined without eliciting anything new. George R. Hazewell, the broker, in whose possession the forged notes were found, testified substantially to the facts detailed by Mr. Lyons in his opening for the prosecution. On the conclusion of his testimony, Colonel Spencer, counsel for the prisoner, moved for the discharge of his client, on the ground that there was a variance between the proof and the indictment. The Court denied the motion, and adjourned till this morning, when the defence will be opened by ex-Recorder Smith.

FIFTY-SEVENTH STREET COURT.

Before Judge Murray.

DANGEROUS VISITORS.

On the evening of the 3d of January John Flood and John Ruth paid a visit to Patrick O'Brien, of No. 840 Eleventh avenue, having mistaken the premises for those of a Mrs. Murphy. Mrs. O'Brien and two female companions were the only occupants of the rooms when they entered. Mrs. O'Brien ordered them out, both being under the influence of liquor. Just then Mr. O'Brien entered and ordered them to leave. Flood grasped a knife from the table, and after defying any one to put them out, he made a lunge with the weapon at O'Brien's face, saying, with an oath, that he would cut his throat. The two ruffians then assaulted Mr. and Mrs. O'Brien in a savage manner. Their assault resulted in Mrs. O'Brien's premature confinement, as she claims, and in putting her life in peril. At an examination yesterday in this Court both of them were held for trial at the Special Sessions.

HARLEM POLICE COURT.

Before Judge Smith.

THE ALLEGED HORSE THIEF.

An examination was held yesterday in the case of Albert Flewellyn, of No. 83 Macdougal street, who was arrested on Sunday on a charge of stealing two horses from his brother Frank, who lives at Yorktown, Westchester county. The defendant when arrested claimed to have recovered the horses from a thief at Katonah, knowing them to be his brother's property. The circumstances surrounding the case were suspicious and he was held to await the arrival of his brother and other witnesses. These proved sufficient against him to warrant his being held, and he was committed for trial in default of $2,000 bail. Frank, the brother, showed a disposition not to prosecute, and he had to give $1,000 bonds to appear at the trial as a witness.

ESSEX MARKET POLICE COURT.

Before Judge Kasmire.

THE LAW OF 1862.

Frederick Traub, of No. 113 Bowery, and William Eisenischitz, of the Volks Garden, No. 199 Bowery, were held for examination on a charge of violating the law of 1862, which prohibits the selling of liquor in any place of amusement.

POLICE COURT NOTES.

At the Tombs Police Court yesterday Henry Flynn, of No. 408 West Sixteenth street, was held to answer a charge of stabbing Henry Lane, of No. 217 Greenwich street, in the side with a knife on the 1st of February.

Ellen Miller was a servant in the family of Dr. Francis M. Furroy, of Fordham. Some months ago she "took French leave" of her situation, and simultaneously a gold watch and other articles of jewelry were missing. Yesterday the Doctor saw Ellen in Mulberry street and caused her arrest for larceny. Justice Bixby, before whom she was taken, held her to answer in default of $1,000 bail.

COURT CALENDARS—THIS DAY.

SUPREME COURT—CHAMBERS—Held by Judge Barrett.—Nos. 277, 71, 109, 115, 116, 242, 243, 250, 255, 278, 299, 305, 306, 317, 318.

SUPREME COURT—SPECIAL TERM—Held by Judge Donohue.—Case on, No. 232.

COMMON PLEAS—EQUITY TERM—Held by Judge Joseph F. Daly.—Nos. 6, 2, 5.

COURT OF GENERAL SESSIONS—Held by Judge Gildersleeve.—Case on—The People vs. William J. Ree, forgery.

COURT OF APPEALS.

ALBANY, Feb. 2, 1876.

No. 162. Marx Harris, appellant, vs. The Equitable Life Association Company, respondent.—Argued by A. R. Dyett, of counsel for appellant, and by George D. F. Lord for respondent.

No. 126. Thomas William Renton, an infant, &c., respondent, vs. C. Godfrey Gunther, appellant.—Argued by Charles H. Winfield, of counsel for appellant, and by D. P. Bernard for respondent.

No. 158. George Sloan, appellant, vs. William Elmer, respondent.—Argued by A. R. Dyett, of counsel for appellant, and by A. J. Parker for respondent.

Adjourned.

CALENDAR.

The following is the calendar for Thursday, February 3:—Nos. 161, 102, 164, 166, 146, 142, 19 and 135.

UNITED STATES SUPREME COURT.

WASHINGTON, Feb. 2, 1876.

The following cases have been argued in the United States Supreme Court:—

Ætna Life Insurance Company vs. France and wife—Error to the Circuit Court for the Eastern District of Pennsylvania.—This was an action on a policy of life insurance for $10,000, issued by the company upon the life of one Chew, for the benefit of his sister, Mrs. France, and in her name. The defence was that no insurable interest was in Mrs. France, and that at the date of the policy the deceased misstated his age and denied having been ruptured, when in fact he was ruptured from his birth. The verdict was for the plaintiff below, under the instructions of the Court, and it is here insisted that the policy, although nominally in the name of the deceased, was, in fact, taken out and the premiums paid by Mrs. France, and that such being the case there should have been no recovery, for want of an insurable interest. It is also insisted that as the sister was a married woman, in no way dependent upon the deceased, she was without insurable interest. It is also insisted that the answers made by the deceased when insured were warranties, and being such, if wholly or in part false, there should be no recovery. The defendants in error insist that as to the disease referred to, concerning which the deceased was asked, there was no concealment in fact, nor was there any as to the age of the deceased, as he stated he was uncertain as to his age when asked by the agent of the company. S. C. Perkins for plaintiff in error; N. H. Sharpless for defendants.

No. 129. Turner et al. vs. Ward et al.—Appeal from the Circuit Court for the Eastern District of Michigan.—This was a suit to recover of Turner & Co. the amount of a bill of goods sold to them by the appellees, the plaintiffs below seeking to have property which had been covered by a chattel mortgage applied to the payment of their debt. The relief asked was decreed by the Court below, and the case is brought here and submitted on the printed briefs of the parties, the appellants averring that certain alleged false representations made by them, if false, were not shown to have been so known to the member of the firm making them, and that the Court should have exacted such proof before rendering the decree made. C. P. Crosby for appellants; Ashley Pond for appellees.

No. 134. Eyster vs. Gaff et al.—Error to the Supreme Court of the Territory of Colorado.—This was an action of ejectment brought against Eyster to recover possession of certain lots in Denver City. Eyster was a tenant of one McClure, who mortgaged to the defendants in error. Having foreclosed and obtained the title of the mortgagor they ousted the tenant by ejectment. It is here insisted that the Court erred in sustaining the foreclosure proceedings against McClure when he was a bankrupt, and the assignee was not made a party, and that, therefore, the plaintiffs in error have no title as against the tenant in possession under him. John A. Wells for plaintiff in error; Shellabarger & Wilson for defendants.

No. 133. Smeltzer vs. White—Error to the Circuit Court for the District of Iowa.—In this case the defendant in error recovered upon alleged warranties of the genuineness of forty-eight county warrants, purporting to have been issued by O'Brien and other counties, which he purchased of the plaintiff. The warranty was that they were regularly issued and were genuine county warrants. White brought suits against the counties, and failing to get judgment on the warrants, because of irregularity in their issue, in being without the county seal, had recourse to the warranty of the plaintiff. It is here insisted that the Court erred in holding that the warrants required a seal; but if it is true that they were invalid without a seal it was a defect patent to the purchaser as well as to the seller, and therefore it was not within the warranties. G. Parsons for plaintiff in error; Ashton & Wilson for defendant.

On motion of Mr. J. Carroll Brewster, W. H. Armstrong and David C. Harrington, of Philadelphia, Pa., were admitted to practice as attorneys and counsellors of this court. On motion of Mr. J. B. Sanborn, Henry F. Masterson, of St. Paul, Minn., was admitted to practice as an attorney and counsellor of this court.

No. 134 Christian S. Eystoe, plaintiff in error, vs. Thomas and James W. Gaff.—The argument of this cause was continued by Mr. J. A. Wells, of counsel for plaintiff in error. The Court declined to hear further argument in this cause.

No. 135. William W. Lathrop, assignee, &c., appellant, vs. Samuel Drake and John Drake, Jr., executors, &c., et al.—This cause was argued by Mr. D. C. Harrington and Mr. J. Carroll Brewster, of counsel for the appellant, and by Mr. W. H. Armstrong for the appellees.

No. 137.—Charles D. Maxwell, plaintiff in error, vs. the District of Columbia.—The argument in this cause was commenced by Mr. F. P. B. Sands, of counsel for the plaintiff in error, and continued by Mr. E. P. Stanton for the defendant in error.

Adjourned until to-morrow.

A SWINDLER ARRESTED.

Detective Richard Fields, of the District Attorney's office, yesterday arrested at Orange, N. J., a retail grocer named George H. Basch, doing business at that place. The arrest was made under an indictment obtained by the wholesale grocery firm of Bonnett, Schenck & Earle, No. 57 Park place, who complain that Basch came to them and, by representing himself to be doing a good business, besides holding real estate in Brooklyn and Newark, obtained from them on credit $10,000 worth of goods. It was subsequently discovered that he was insolvent when he made these statements, and the swindled firm went before the Grand Jury and procured the indictment against him. He was taken to District Attorney Phelps' office yesterday afternoon and was committed thence to the Tombs to await trial in the General Sessions.

THE DYNAMITE FIEND.

The antecedents of William King Thomas, alias Thomassen, the dynamite fiend, still remain unrevealed. Careful inquiries among the officers of the vessels engaged in running the blockade of the Southern ports of the United States have elicited the fact that he never was an officer nor employed on any Confederate vessel. The German Consul, Dr. Henkel, has not completed his investigation, but has learned that the Mr. Skidmore referred to in the cable despatch published yesterday is Mr. Edward M. Skidmore, Jr., a Custom House broker, whose knowledge of Thomas is limited to a single business transaction—that of entering and clearing at the Custom House a cask imported from Bremen by the steamship Rhein in June, 1875. What this cask contained was invoiced as polishing paste, but it is now supposed to have been dynamite. It was invoiced to George S. Thomas, but exported on October 28 to Hamburg on the return trip of the steamer, consigned to William K. Thomas, whom the man said was his brother, living at the Hotel de l'Europe. The stories told by Thomas seem to be absolutely false. No person has been found in Brooklyn that can give any information relative to his previous residence in that city. It has been ascertained that his wife was married to him in St. Louis, Mo. Dr. Henkel will conclude his investigation about the first of next month, and then report to his government.

THE YORKVILLE SALOON KEEPERS.

The German saloon keepers of the Nineteenth ward held a meeting at No. 767 Third avenue yesterday, to advocate the enactment of a uniform excise law for the whole State. They hold that such a law would do away with oppressive actions on the part of the Excise Commissioners, to which, it is alleged, they have heretofore been subjected. They will join their efforts with those of the brewers and liquor dealers' organizations to obtain the enactment of such a law during the present session of the Legislature.

CORONERS' CASES.

An inquest was yesterday held on the body of Paul Stahl, who committed suicide last week. No new facts were elicited.

An inquest was likewise held on the body of Michael Kiernan, aged fifty-five, of No. 697 Third avenue, who was run over on the 30th ult., between Forty-sixth and Forty-seventh streets, by an engine and express car of the New York Central Railroad backing into the depot. The jury censured the railway officials for not having a man in the rear of trains while they are backing in.

FOUND DROWNED.

The body of an unknown man was found yesterday morning floating in the North River, off pier No. 40, by Officer Moore, of the Fifth precinct. Deceased was about forty-five years old, five feet seven inches high, had black whiskers mixed with gray, dressed in black pants, coat and vest, gray woollen shirt and high boots. The body was sent to the Morgue and Coroner Ellinger notified.

An unknown man was also found drowned off pier No. 34 North River, at nine o'clock yesterday morning. The body, which had evidently been in the water a long time, was sent to the Morgue and the Coroner notified. The deceased was about thirty-five years old, five feet eight inches high, light complexioned, had sandy whiskers, mustache and hair, and wore black coat, pantaloons and vest, white shirt and low shoes.

BURGLARIES.

At an early hour yesterday morning burglars entered the clothing store of Hirsch Meyer, at No. 744 Third avenue, and succeeded in carrying away goods, consisting of men's clothing, to the value of $1,200. The entrance was effected by forcing open a side hall door. As yet the police have no clew to the robbers. The store of M. Samuels, at No. 65 Walker street, was robbed by burglars of several articles of ladies underwear.

CONFIDENCE GAMESTERS.

Justin Ahrens, a well-known confidence swindler, arrested in Hoboken last Friday, was arraigned yesterday before Acting Recorder Strang, on three charges of obtaining money under false pretences. The prisoner waived an examination and was placed under $1,000 bail to appear for trial before the Grand Jury. He has been identified by Mrs. Williams, of Rahway, N. J., as the man who swindled her out of $300. Gustave Bernstein, of Fulton street, New York, an accomplice of Ahrens, was released under $500 bail. It may be remembered that Oppenheim, one of the gang who was arrested with these men, upon being recognized by some of his victims, hanged himself in his cell at the Hoboken police station.

WHAT DO THEY MEAN?

A number of the citizens of Union Hill, N. J., have organized a club called "The Hangmen's Club," but decline to make public the object of the association. The general impression is that lynch law is a part of their tenets. The following are the officers of the association:—President, Gustavus Stahl; Secretary, Otto Stahl and Treasurer, George Hick.

THE CURRENCY AND POSTAL LAWS.

A meeting of the New York Board of Trade, for the purpose of adopting memorials prepared by Messrs. George Opdyke and P. Farrelly to Congress in relation to the Currency and Postal laws, was held yesterday at their rooms, Nos. 15 and 17 Broadway. Mr. Opdyke presided, and as chairman of the Committee on Currency presented a report including a memorial to Congress. The memorial claims that convertible paper is equal to coin when issued only to the amount necessarily required for trade, but that inconvertible paper is injurious, inasmuch as it is issued at the caprice of the government. The present volume of inconvertible paper was found to be only a little in advance of the rate per capita as it existed before the war, through which the currency was greatly inflated; but a return to specie payments, although much to be desired, would be disadvantageous unless the government had at least $150,000,000 in gold in its vaults. As this amount is not in the vaults by at least two-thirds, resumption in 1879 would be impracticable, as the drain of gold from this country is much greater than the import of foreign gold. The report recommends that the Treasury Department add $10,000,000 annually to its gold reserve, and that the national banks be compelled to retain all gold received by way of interest; that the act providing for resumption on January 1, 1879, be repealed; that greenbacks to the extent of eighty per cent be issued in the place of national bank notes withdrawn from circulation; that $50,000,000 worth of United States bonds, bearing 3.65 per cent interest, be authorized, to be convertible at pleasure into legal tender notes; that the national banks of New York be clothed with power to establish a uniform rate of discount and to change the rate when deemed necessary; that the present issue of the legal tender notes and the present National Currency act remain unchanged until the market value of the legal tender note substantially equals that of coin. The adoption of these recommendations will, it is claimed, restore confidence and remove fear of future financial trouble; will give more elasticity to currency, and finally lead to resumption at a time when it will be beneficial to the commercial interests.

The report of the Committee on Postal Rates was exceedingly voluminous. It claimed that the discrimination between the rates on articles of printed matter and other articles was very injurious. It was stated that "for the promotion of the general business of the country bulbs, cuttings and samples of merchandise shall be carried at as low rates as sample copies of books and printed matter," but not at such a rate as would impose a tax on the people for such transportation. The report recommends that first class matter should remain unchanged; second class matter should comprise ores, minerals, jewelry, seeds, teas, sugar, coffee, flour, &c., with the rate of one cent per ounce; third class matter to consist of books, maps and other printed matter not regularly issued, with the rate of one cent for two ounces, and fourth class matter to consist of newspapers at the rate of one cent for four ounces. It is believed that these rates would make the department self-sustaining. If each class was made to pay its own way written correspondence might be reduced from three to two cents.

Among those who participated in the discussion were Peter Cooper, E. B. Sanford, of the Adams Express Company; Sinclair Tousey, B. K. Bliss, W. Orton, G. B. Satterlee, G. W. Chater Clarke and P. Farrelly, of the American News Company. Messrs. Opdyke, Orton, Tousey, Satterlee and Clarke were elected as a delegation to present the currency memorial to Congress, and Messrs. Farrelly, Clarke and Bliss were elected to convey the postal memorial.

THE NATIONAL BOARD OF TRADE.

The Executive Committee of the National Board of Trade will hold a meeting in Washington on the 8th inst. to decide when and where the annual meeting of the board will take place. The delegation appointed to represent the Produce Exchange of this city, of which Mr. Franklin Edson is chairman, have requested the Chamber of Commerce, the Board of Trade of New York, the Importers and Grocers' Board of Trade and the Cheap Transportation Company to unite with them in inviting the National Board to meet in New York.

The Importers and Grocers' Board of Trade have referred the matter to a committee, with power to assent or dissent to the proposition, and the other societies mentioned view the question favorably, so that it is probable that the invitation will be forwarded.

WINE AND SPIRIT TRADERS.

The council of the Wine and Spirit Traders' Society met yesterday afternoon.

A circular letter addressed to the trade, drafted by the special committee appointed for the purpose of suggesting to Congress amendments to the existing Internal Revenue laws, so far as they relate to the taxing of distilled spirits and explanatory of such amendments, was then read and accepted. On motion it was ordered that copies of said letter be printed for distribution to the trade.

It was moved that, inasmuch as the council advocate the reduction of tax on domestic spirits to fifty cents per gallon, that they consistently recommend to Congress the reduction of duty on imported spirits to $1, and that the time for such spirits to remain in bond be extended to at least three years. The motion was referred to the Legislative Committee.

THE INCREASED ELEVATING RATES.

Messrs. Hughes, Hickox & Co. sold Messrs. Marsh, White & Co. 2,800 bushels of grain a few days ago and charged the increased rate of three-quarters of a cent per bushel for weighing and elevating. Marsh, White & Co. refused to pay the additional quarter of a cent, whereupon the sellers appealed to the Board of Managers of the Produce Exchange for a decision in the case. After both sides of the case had been fully stated the managers rendered the following decision, which establishes a precedent on the question which has caused so much comment among the members of the Exchange recently:—That inasmuch as nothing was said in regard to any special rate until after the conclusion of the trade, the buyers must take the grain at the customary rates of weighing and elevation which are one-half cent per bushel each.

DEPARTMENT OF PARKS.

A regular meeting of the Commissioners of Public Parks was held yesterday morning at ten o'clock. A communication was received from Mr. Whitney, the Corporation Counsel, who gave his opinion in regard to the Battery extension of the Elevated Railway. He said that the Board could grant the company the right to pass over a small portion of the Battery, which was formerly a strip of land covered by high water. About the other parts of the Battery his opinion has not yet been handed in. A copy of a decree in a certain suit of the New York City Central Underground Railway was served by them upon the Commissioners, in which they claim the right of way through the Battery. They wished to notify the Board of their rights in the premises. They say that if the power to extend their line is given to the Elevated Railway Company it will infringe upon their rights.

Three bids were received for the privilege of making new uniforms for the Park police.

The Counsel of the Corporation was instructed to acquire title to Westchester avenue, between the town of Morrisania and the Bronx River, and also to Morris avenue, between Third avenue and 156th street, for the purpose of opening those streets.

The Commissioners directed specifications for laying out the hydraulic concrete for paving the City Hall Park should be made. The work is to be done by contract. The sidewalk along Chambers street must be all paved with it, and a central strip must be laid in each of the other walks of the park as far as the money that has been appropriated for that purpose will go, amounting to about $10,000.

The rest of the meeting was occupied with merely routine business.

COMMISSIONERS OF DOCKS.

The above Board held their regular stated meeting yesterday afternoon, all the members present.

A communication was received from the Hoboken Ferry Company asking permission to place a fog bell on the French steamship dock, one pier below Christopher street ferry, owing to the fact that the bell cannot be heard from their slip or ferry house in consequence of the high sheds of the two wharfs adjoining. The same was referred to the Chief Engineer.

The Board denied the request made by the New England Gaslight Company to grant them a pier to erect one of their illuminating dock lights. They also rejected the proposal of the New York and Brooklyn Ferry Company to grant them a lease of the Grand street ferry slips at $1,000 per annum for ten years. The Treasurer reported a little over $357,000 on hand, after which the Board adjourned.

MUNICIPAL NOTES.

The protest of the "Rump" Common Council to Comptroller Green against paying salaries of the Board of Aldermen and attachés, has had its effect. On applying for warrants yesterday some of the City Hall officials were informed they could not be paid for a day or two until the Comptroller had time to examine the matter.

A meeting of the Board of Aldermen will be held this afternoon.

Patrick Maguire, one of the attachés of the Common Council, has been removed by Mr. Tuomey, chief clerk.

THE HOUSE OF DETENTION.

Commissioners Smith and Wheeler, of the Police Board, paid an official visit to the House of Detention yesterday to see what repairs, if any, were necessary to render the place more comfortable for witnesses. Certain alterations will probably be made in the interior of the building before long.

JERSEY CITY'S ANNUAL BUDGET.

The following appropriations have been made for expenditures by the Board of Aldermen of Jersey City for the year 1876:—Support of outdoor poor, $12,000; printing and stationery, $5,000; armories, $4,000; salaries, $5,000; repairs, $500; numbering houses, $1,000; public bath, $1,200; Fourth of July, $2,000; Decoration Day, $200.

THE CRAMMED CARS.

COMFORT OF PASSENGERS SUGGESTED.

TO THE EDITOR OF THE HERALD:—

Your efforts to secure comfort for the patrons of street cars entitle you to the thanks of a suffering community, and will, I trust, be attended with success. I want to call your attention to another imposition upon the travelling public. The trains of the Harlem and New Haven railroads are supposed to start from Forty-second street, but, in fact, start about four blocks further up town, all passengers being obliged to walk about 900 feet to reach the cars, which stand near the upper entrance of the depot in order that the smoke of the locomotives may not injure the beautiful building. As the companies will not allow any but ticket holders to enter, frail women returning heavily laden with shopping spoils, and invalids, however feeble, are deprived of their escorts at the wicket gate, and, as no substitutes are provided, have to take the weary walk alone or depend upon the chance courtesy of fellow passengers. Many instances of hardship could be cited, but I forbear. I once ventured to suggest to the superintendent a simple remedy, but no attention has been paid to it. I proposed that the track nearest Forty-second street be raised a few inches above the grade, so that the cars, upon opening the brakes, would run by gravitation to the other end, where the locomotive could be attached. The time, temper, and strength of the passengers, and the beauty of the building, would, by this arrangement, be charmingly conserved.

NEW YORK, Feb. 1, 1876. MERCHANT.

THE RIGHTS OF CITY RAILROADS.

TO THE EDITOR OF THE HERALD:—

Interested in your statements of the rights and duties of our city railways under their charters and the law, I would on behalf of myself and others of your readers be pleased to have your opinion on the following questions, in regard to which there has been some discussion:—First, Can a city railway company legally demand the fare from a passenger as he enters the car, or can a passenger refuse to pay the fare until he desires to get out? Second, Can a conductor, acting for a company, eject a passenger who tenders a bill for a larger amount than the conductor can or will change, and refuse any other method of payment, or must he carry the passenger as far as he desires to go without payment? EQUITY.

NEW YORK, Feb. 1, 1876.

A PLEA FOR STEAM ENGINES.

TO THE EDITOR OF THE HERALD:—

All horse car riding people in America, and "there's millions" of them, will feel most grateful for your just warfare against the extortion and abuse of the horse railroad corporations. But the people are much to blame for the growth of this abuse. A lady said to me to-day that she "would prefer to stand and hang by the straps than to be left on the corner waiting for another car, and that it would be very wrong not to allow a person to enter a car merely because there were no vacant seats for a person who felt satisfied to stand up." Multitudes of people feel thus when in haste, and so have aided in the growth of the injustice we suffer. But the railroad companies claim that they cannot carry any more passengers than they now do during the busy hours—that cars leave their depots every two or three minutes, and that they can do no better, even if they would. My conviction has long been that the only rescue from all the trouble is to use steam engines applied to larger cars, to be drawn on the present tracks. It is a cruel abuse of horses and drivers and conductors the way things are now managed. A law should be passed making it a crime to work conductors and drivers over ten hours. The present tracks are sufficient for all needs. Hence I urge that steam power should be tried now on all the great routes of this city. There is no need of more elevated railroads, if on the roads now built they will at once apply steam power and draw double deck cars far more rapidly than horses now travel. Put an engine like the new ones on the Elevated Railroad in Greenwich street, on the Fourth avenue road, and draw four cars, and put covered seats on top, charging three cents for outside and five cents for inside seats as far as Harlem. Inside seats will hold twenty two persons, and outside ones twenty. Four cars of this kind, propelled by steam, would convey with comfort and speed 168 persons to Harlem or to the Grand Central depot, and produce for fares $6 80 for each trip, not counting any way passengers. The cars can be made much larger, so that two cars would carry the passengers of four.

Let the experiment be now tried. We have been accustomed to the swiftest trains passing Fourth avenue, through Harlem, for years, and no one thought that horses should be used to draw those trains. Horses become soon accustomed to a steam engine drawing a train. The new engines of the Elevated road make but little noise and scarcely any smoke, and the engineer can stop a train as quickly as when horses are used. People are so accustomed to stand when they cannot find seats that very many would complain at being obliged to wait for a car not full. Hence a law should be passed preventing people standing—making it a punishable offence to take any person who cannot sit. The "no seat no fare!" cry will only partially relieve, for too many people will prefer to stand and pay than not ride when they wish to. The companies are not now compelled to put on more cars, and hence it would be their revenge to put off the non-paying passengers and not put on more cars, so as to drive the public to terms. Hence let a law be passed forcing the railroad companies to use steam applied to larger cars, and then draw three or four of such cars where now one car goes drawling along, overloaded with weary, standing, crushed passengers. The Third and Eighth avenue lines should be permitted to lay another track for fast trains, stopping only occasionally. Let poor men who are infirm be employed as guards at every block, for it would be easy work to hold a danger flag for fast passing trains. I do not mean lightning express trains, but trains going ten or twelve miles an hour. The people no longer avoid, but, on the contrary, seek, the railroad tracks, for they find it easier for loaded wagons. But until some relief comes keep up the cry of "No seat no fare." Unless you do so the railroad corporations will still continue to order their conductors to cry:—

"A buff trip slip for a three-cent fare,"
What care we for the passengers?
"A pink trip slip for a six-cent fare,"
'Tis no matter if there is no air!
"A blue trip slip for an eight cent fare,"
Punch! punch! punch! the passengers!
Give your money or give your hair.
If you can't sit down then hang up there!
For you are only a passengere.

W. F. H.

CLASS STREET CARS.

TO THE EDITOR OF THE HERALD:—

Permit me to correct an error in my letter published in the HERALD of the 27th ult., on first and second class street cars for New York city. In suggesting the rate of fare to be charged on first class cars, I put it at eights cents to Fifty-ninth street and ten cents to Harlem, instead of ten cents to Fifty-ninth street and ten cents to Harlem, as my letter was published. A charge of ten cents fare for any distance rode might be too high, and an objection defeating the proposed system or plan. A majority of New Yorkers would be willing and able to pay the extra two or three cents fare to Fifty-ninth street and four cents to Harlem for a comfortable seat in a "first class car," and many of the so-called poor and people in moderate circumstances would avail themselves of the benefits of the first class cars. The suggestion that this system would reduce the second class cars to the level of hogpens it seems to me is erroneous. They certainly could not be nearer cars for the transportation of swine than they now are, and by some regulations and laws compelling the companies to run a sufficient number of second class cars to prevent "packing," and affording at least standing room, they might be made more comfortable, healthy and decent than they now are, and thus accommodate better those in moderate circumstances and the very poor, and under this system nearly all passengers would secure a seat before the car was up town, and through the crowded portion of the city, where there is so much jumping off and on to ride short distances, this plan would be practicable. The plan of furnishing every passenger with a seat at a uniform rate of fare seems to me quite difficult, as there are hours in the morning and evening when the tracks, with our present slow mode of locomotion and hindrances, would not accommodate cars sufficient to furnish all with seats, as it would require nearly three times the number of cars at present used to seat all passengers, and at the City Hall, where so many different lines terminate, there would be more or less of a blockade. My plan was not to "perfect the street car system," but to relieve all classes in a measure until such time as we may secure elevated rapid transit; and it seems to be pretty well understood now that we shall not have any complete cure for the difficulty until rapid transit is accomplished.

Under the proposed system of first and second class cars the present cars used would be utilized, and could be made comfortable as second class cars, while a new first class car could be turned out at about the same cost as the present car used; light, airy, well ventilated and lighted after the improved plan (so that reading would be in order), well upholstered, with division seats, and to carry only a specified number, seated; whereas a radical change in our street car system would necessitate the building of all new cars, at a great expense to the companies, and would be looked upon by them with great disfavor, and, with the prospect of rapid transit and the consequent withdrawal of patronage from the street cars, the companies would be loath to adopt any such change or plan for the benefit of the public, and any bill introduced for such purpose would either be smothered or defeated by our incorruptible Legislature. What, then, must be done for relief? Some plan must be presented that can be enforced or that will not arouse the strenuous opposition of the companies, and the plan of furnishing a number of first class cars would be the least expensive, and, by doing away with the conductors and substituting the money box and the finger post to indicate the number of the street, these cars might be made a paying investment. I am strongly of the opinion that a well regulated system of first and second class street cars would be of great benefit to all classes of the community, the regulating of which might be governed by enactments and laws. W. B. W.

DON'T FORGET RAPID TRANSIT.

TO THE EDITOR OF THE HERALD:—

Your columns seem to be open to all on the street car question. Even the "characteristic" conductor's wail is heard. I don't suppose the public care much about the amount of work a conductor does for $2. The great question is the comfort of passengers. None of your correspondents have solved the problem of how to get a seat for a fare, and never will while horse cars are the only cheap means of locomotion.

"H. M. P.'s" suggestion, if carried out, would not secure him a seat, but he wants the city to have half his fare if he stands. That must be comfort. "M.'s" project that the fares of all who stand shall go to charitable institutions (and thus make them the perpetuators of the conductor's special sin, of appropriating to their own use what belongs to the railroad company) would not help matters. Any of the principal city lines at certain times of day give evidence of the impossibility of seating all passengers without making a continuous train of cars. But you may reasonably insist on the companies running more cars than they do—say one at every block—at certain times of day, and when the seats are filled show a sign to that effect, and leave people to their option as to riding. If cars with double the present seating capacity can be had, so much the better. I assume that New Yorkers are sensible and practical. Give us something practical—more cars, and of improved patterns—and in the meantime, don't forget to push rapid transit. L. P.

HORSE RAILROADS IN JERSEY.

The horse railroad agitation has extended to nearly every city of New Jersey, and such pressure has been exercised upon members of the Legislature that Mr. Egan, of Elizabeth, has introduced a bill concerning horse railroad companies. It provides that it shall be lawful for any city, town or township to pass, amend and repeal ordinances for any of the following objects:—To regulate and prescribe the rate of fare, provided such rate shall not exceed the sum of five cents for each adult passenger; to grant licenses to any company for each car run or operated; to compel the payment to each city, town, &c., of a license fee for every car; to regulate the running and operating of every railroad in such a manner as will conduce to the welfare, comfort and convenience of the travelling public. The second section provides that it shall not be lawful for any company to run their railroad to any township, without the consent of such township having been first obtained, anything in the charter of such company to the contrary notwithstanding.

It has been heretofore the custom with railroad companies to proceed to the Legislature and procure charter privileges, right of way and exemption from municipal taxation, ignoring entirely municipal authority. An ordinance was passed several years ago by the Jersey City Board of Aldermen providing that no train should be run within the city limits at a rate exceeding six miles an hour, but the railroad companies have disregarded it, and trains on the Pennsylvania Railroad dash through the most populous sections of the city at the rate of twenty-five and even thirty miles an hour. The Jersey City and Bergen Horse Railroad Company continues to charge a fare of eight cents within the city limits in spite of repeated efforts to compel a reduction. A similar fare is exacted by the North Hudson County Railway Company.

CONVICTS' CONSPIRACY.

A REVOLT AT THE KINGS COUNTY PENITENTIARY PLANNED AND FOILED.

On Tuesday night two notorious characters, named Benjamin Webber, alias John Williams, aged twenty-one years, and Michael Smith, aged twenty-four years, were arrested on a charge of conspiracy to effect the escape of convicts from the Kings County Penitentiary. Both men are ex-convicts. Smith was arrested at No. 60 Canton street and Webber at No. 42 Skillman street, Brooklyn. While serving their time in the Penitentiary they familiarized themselves with making shoes, and upon the expiration of their terms of service as prisoners they were, at their own request, retained in that employment by the Bay State Shoe Manufacturing Company. A few days ago a convict who worked in the same shop saw that Smith and Webber had knives and pistols in their possession, and that they were giving liquor to certain other convicts. He kept a close but secret watch upon the movements of his fellow prisoners, and suspected that about twenty of them were in a plot to escape and that their leader was one William Baker, alias "Titus," who is under sentence for a term of five years for burglary. The convict finally informed a deputy keeper of what he had learned, and Warden Shevlin at once ordered that the convicts be searched. The result of the search was that knives and pistols were found on them, and that nearly all the conspirators had gray pantaloons which they wore under their convict dress. These garments had been made from their blankets and were to be unmasked when the convicts had got outside of the Penitentiary walls. The men who were implicated in the scheme were immediately placed in the "black cells" and reduced to low diet. The outbreak was originally fixed for Monday night, but owing to the failure to perfect some detail in the arrangements the signal agreed on was not given. Deputy Keeper Conners notified the police of the Fourth precinct and the latter arrested Smith and Webber.

REAL ESTATE SALES.

Very little property was offered for sale yesterday at the Exchange.

Richard V. Harnett sold, by order of the Court, the four story double tenement house and lot, 25 by 100.5, No. 548 West Forty-fifth street, south side, 150 feet east of Eleventh avenue, building 25 by 50, subject to two mortgages—viz., one for $6,000, to run until January 1, 1878; and the second for $2,000, to run till April 10, 1877; to John C. Clegg, for $1,975 over the said mortgages, in all $9,975, said property being valued at $16,000.

George H. Scott sold, by order of the Court, four lots, each 25.2 by 100, on Fifth avenue, northeast corner of Ninety-second street, subject to a mortgage of $40,000 to Josiah Jex, for $9,850 over said mortgage, in all $49,850, said property having sold three years ago for $90,000.

Peter F. Meyers sold the house and lot, 20.10 by 100.11 on East 112th street, north side, 226.4 feet west of avenue A, to Thomas Mackeller, for $7,200.

BUSINESS TROUBLES.

The affairs of the firm of Koehler & Kupfer, wholesale liquor dealers, No. 32 Broadway, which suspended recently and of which Mr. Uriah Herrmann, of No. 67 Pine street, was appointed receiver, have been settled. Mr. David M. Koehler assumes the debts of the firm, compromises at fifty cents on the dollar and continues the business, Mr. Kupfer retiring from the firm. The liabilities are estimated at about $100,000.

Mr. Thompson J. S. Flint, receiver of the Peekskill Iron Company, has sold some of the material at Peekskill. Suit has been commenced by the Philadelphia and Reading Coal and Iron Company to set aside the mortgages, which amount to $350,000. It is expected that the case will be settled this week, after which the receiver will proceed to immediately wind up the affairs of the company.

Schultheis & Mensing, drugs, No. 36 Water street, made an assignment yesterday to Mr. Ashbel P. Fitch, of No. 93 Nassau street. The liabilities of the firm will probably amount to $50,000; their nominal assets are much larger than this sum, but the shrinkage in values will reduce them nearly one-half. As the firm were extensively engaged in the importation of mineral waters and drugs from Germany a large proportion of their indebtedness is held in Europe, and as soon as their creditors can be heard from it is expected that favorable arrangements will be made for a compromise.

The creditors of Squier Brothers, builders, met yesterday at the office of James V. Dwight, Register in Bankruptcy, No. 7 Beekman street, and after proving their claims Mr. John H. Platt, of No. 40 Wall street, was chosen assignee.

The creditors of Messrs. Charles Bellows & Co. met yesterday afternoon, at the rooms of the Wine and Spirit Traders' Society, No. 125 Pearl street, when Mr. Bellows read a statement of the affairs of the firm, which, he said, was not perfectly accurate, but nearly so. A correct one would be presented to the creditors as soon as it could be made up. Before reading the statement Mr. Bellows made a few remarks, in which he stated that his house was the successor of that of Archibald Gracie & Co., which was established in New York in 1825, and was the oldest in the city. He said that ten days ago he was perfectly unaware that a suspension of payment would be necessary, and attributed his misfortune to the general debility of trade. Everything he had, personal and real, he delivered into the hands of his creditors, and hoped they would make a careful examination of the books of the firm to show that all the dealings of the house were strictly honorable.

The following is the statement of the condition of the house as per balance sheet to January 1, 1876, with probable changes to February 1:—

January 1, total liabilities	$101,890 98
Of above, due to our own correspondents abroad	7,941 05
Leaving home obligations	93,949 93
ASSETS.	
Merchandise on hand, subject to slight reduction of value	$25,161 04
Other good assets	24,051 92
Profit and loss	40,234 76
Suspended accounts	2,575 62
Doubtful accounts	4,638 36
Judgment	2,229 28
Showing a business qualification of	52,212 96
To pay an indebtedness of	101,890 98
Subject to probable change in value of debits and merchandise, without real and personal property of Charles Bellows, subject to encumbrance on real estate, amounting to	25,920 37
Loans secured by merchandise	3,000 00
Loans secured by pledge of certificates of stock	3,000 00

Mr. John L. Beecher (of Ives, Beecher & Co.) then moved that a committee of three be appointed by the chairman, Mr. C. McK. Loeser, to make an examination of the firm's books and report at an adjourned meeting of creditors, to be called when the committee are ready to report. This motion was carried, and Messrs. Beecher, Crooks (of Casale, Crooks & Reynaud) and Souvene (of F. de Bana & Co.) were appointed to serve on the committee.

The well known firm of provision dealers, Messrs. J. W. Beardsley & Co., No. 196 Chambers street, made an assignment yesterday to Barak G. Coles. A HERALD reporter called at the office of the firm to try to ascertain the cause of the trouble, but the gentleman whom he saw stated that he preferred to say nothing about the matter, except that the creditors will hold a meet-

[CONTINUED ON NINTH PAGE.]